

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2011-091580

01/05/2012

HONORABLE JOHN R. HANNAH JR

CLERK OF THE COURT
E. Toledo
Deputy

IN RE THE MARRIAGE OF
RAFFAEL N MELCHIONE

KEITH A BERKSHIRE

AND

SULEYKA MELCHIONE

TIMOTHY W DURKIN

MINUTE ENTRY

Courtroom SEF 204

Petitioner's Exhibits 1 through 25 and Respondent's Exhibits 26 through 78 are marked for identification prior to the commencement of today's hearing.

9:13 a.m. This is the time set for Trial regarding Petitioner's Petition for Legal Separation filed March 31, 2011 which was converted to a Petition for Dissolution of Marriage. Petitioner/Father is present with above-named counsel. Respondent/Mother is present with above-named counsel.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Petitioner, Respondent, and Nicholas Melchione are sworn.

The rule of exclusion of witnesses is invoked.

Discussion is held with the Court.

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The Petitioner through counsel has asked for the Court to review the Resolution Management Conference from April 18, 2011. Respondent's counsel has no objection. The Court will determine through the course of this hearing today whether it is necessary to review the Resolution Management Conference recording.

IT IS ORDERED denying Petitioner's oral motion in limine to exclude Respondent's Exhibit 64.

Arthur Macias Sr. and Shirley Macias are sworn.

The rule of exclusion of witnesses is invoked.

Respondent testifies.

10:33 a.m. Court stands in recess.

10:42 a.m. Court reconvenes with all parties and counsel present.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Respondent testifies further.

Petitioner's Exhibit 79 is marked for identification.

Respondent's Exhibits 30, 31, 32, and 33 are received in evidence.

Respondent's Exhibit 36 is received in evidence.

The Court accepts the stipulation of the parties that the community portion of Mother's State retirement is \$20,000.

LET THE RECORD REFLECT that the parties agree that they will call Mother's witnesses out of order.

Shirley Macias, having previously been sworn, now testifies.

Nicholas Melchione, having previously been sworn, now testifies.

12:04 p.m. Court stands in recess.

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1:31 p.m. Court reconvenes with all parties and counsel present.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Petitioner, having previously been sworn, now testifies.

Petitioner's Exhibit 79 is received in evidence.

Petitioner's Exhibit 1 is received in evidence.

Respondent's Exhibit 60 is received in evidence.

Petitioner's Exhibits 13, 14, and 15 are received in evidence.

Petitioner's Exhibit 18 is received in evidence.

Petitioner's Exhibit 7 is received in evidence.

Respondent's Exhibits 34 and 35 are received in evidence.

Petitioner's Exhibit 2 is received in evidence.

Petitioner's Exhibit 3 is received in evidence.

Petitioner's Exhibits 10 and 11 are received in evidence.

Respondent's Exhibit 64 is received in evidence.

Respondent's Exhibit 66 is received in evidence.

Respondent's Exhibits 38, 39, 41, 42, 43, and 45 are received in evidence.

3:11 p.m. Court stands in recess.

3:22 p.m. Court reconvenes with all parties and counsel present.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Petitioner testifies further.

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Petitioner's Exhibit 12 and Respondent's Exhibit 62 are received in evidence.

Petitioner's Exhibits 5, 6, and 8 are received in evidence.

Respondent's Exhibit 50 is received in evidence.

Respondent's Exhibit 51 is received in evidence.

Respondent's Exhibit 48 is received in evidence.

Respondent's Exhibits 26 and 55 are received in evidence.

Respondent's Exhibits 74 through 76 are received in evidence.

IT IS ORDERED taking this matter under advisement.

There being no further need to retain the exhibits not offered in evidence in the custody of the Clerk of the Court,

IT IS ORDERED that the Clerk permanently release all exhibits not offered in evidence to the counsel causing them to be marked, or to their written designee. Counsel shall have the right to re-file relevant exhibits as needed in support of any appeal. Re-filed exhibits must be accompanied by a Notice of Re-filing Exhibits and presented to the Exhibits Room of the Clerk's Office. The Court's exhibit tag must remain intact on all re-filed exhibits.

IT IS FURTHER ORDERED that counsel or written designee take immediate possession of all exhibits referenced above.

ISSUED: Exhibit Release Form (2)

IT IS FURTHER ORDERED both parties shall submit their proposed forms of decree no later than 30 days from today's date.

5:14 p.m. Matter concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.